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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,233	07/10/2003	Michael A. Ferraro	28650.011100	2258
22191 7590 03/28/2008 GREENBERG TRAURIG, LLP 1750 TYSONS BOULEVARD, 12TH FLOOR MCLEAN, VA 22102				
EXAMINER THEIN, MARIA TERESA T				
ART UNIT		PAPER NUMBER		
3627				
NOTIFICATION DATE		DELIVERY MODE		
03/28/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/616,233

Applicant(s)

FERRARO ET AL.

Examiner

MARISSA THEIN

Art Unit

3627

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawings filed on July 10, 2007 are objected, specifically, Figures 3-11 some of the wordings in the website are not clear.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6141,653 to Conklin et al.

Regarding claim 1, Conklin discloses a system for managing and transaction business in a component-based industry comprising: at least one database for storing bout materials used in the industry for storing information about at least one supplier and for tracking the materials offered by at least one supplier (vendor database, col. 32, line 59 - col. 33, line 14; col. 28, line19-29; col. 32, lines 31-32); at least one server (Webserver; col. 21, lines 64-66); business management software running on at least one server, herein such business management software allows the at least one supplier to access and manage the information stored in at least one database (Webserver software; col. 21, lines 24-39); a quotation entry interface, for use by a buyer (col. 20, lines 24-31; Figure 15b); a quotation processor (col. 23, lines 51-58); and a marketplace interface of facilitating commercial transaction (col. 18, lines 47-65).

Regarding claims 2-5 and 8, Conklin discloses the quotation request processor receives quotations entered through the quotation entry interface correlates the quotation entries with information stored in the at least one database to generate at least one request for quotation (col. 23, lines 51-53; col. 30, line 66 – col.31, line 13; col. 32, lines 61-65; Figure 9); separate requests for quotation are generated for each of the at least one suppliers whose materials appear on the request for quotation (col. 20, lines 23-31); the requests for quotation generated for each of the at least one suppliers contain only the materials offered by at the supplier for whom the quotation is generated (col. 20, lines 23-31; col. 25, lines 41-59; col. 32, lines 61-65); marketplace allows the buyer to search materials stored in the at least one database; and the business management software manages software information for at least one of the suppliers (col. 28, lines 23-29).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6141,653 to Conklin in view of U.S. Patent No. 7,162,443 to Shah.

Conklin substantially discloses the claimed invention, however, Conklin does not explicitly disclose a single transaction. Conklin does disclose transaction (col. 14, lines 27-30).

Shah, on the other hand, teaches single transaction (a single transaction, col. 2, lines 16-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Conklin to include a single transaction, as taught by Shat, in order to close purchasing deals with respect to a plurality of items associated with different sources (Shah, col. 2, lines 18-19).

Claim 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6141,653 to Conklin in view of U.S. Patent No. 6,954,728 to Kusumoto et al.

Conkling substantially discloses the claimed invention, however, it does not explicitly disclose creating a private labeling of at least one supplier; and virtual trade show interface. Conklin disclose a virtual private network (claim 16) and remote web authoring, wherein a participant seller can simply create a product catalog online using web authoring features (col. 28, lines 19-22).

Kusumoto, on the other hand, teaches creating a private labeling of at least one supplier; and virtual trade show interface (col. 3, line 66-col. 4, line 13; col. 5, lines 50-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Conklin, to include creating a private labeling of at least one supplier; and virtual trade show interface, as taught by Kusumoto, in order to provide a mechanism for a user to display advertising for his/her

own products and services (Kusumoto col. 4, lines 37-38) while providing real world environment (Kusumoto, col. 1, lines 21-22).

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6141,653 to Conklin in view of U.S. Patent No. 6,321,205 to Eder.

Conklin substantially discloses the claimed invention, however, Conklin does not explicitly disclose tracking accounts payable and accounts receivable; and performs standard payroll accounting functions.

Eder, on the other hand, teaches tracking accounts payable and accounts receivable; and performs standard payroll accounting functions (col. 12, lines 53-57; col. 13, lines 24-29)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Conklin, to include tracking accounts payable and accounts receivable; and performs standard payroll accounting functions, as taught by Eder, in order to enhance the efficiency and effectiveness of business simulation and analysis by the automating the retrieval, storage and analysis of information useful or valuing the business assets (Eder, col. 5, lines 26-30).

Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6141,653 to Conklin in view of U.S. Patent No. 7,085,740 Meyers.

Conklin substantially discloses the claimed invention, however, Conklin does not explicitly disclose a single sealed bid auction format. Meyers, on the other hand, teaches a single sealed bid auction format (col. 12, lines 57-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Conklin, to include a single sealed bid auction format, as taught by Meyers, in order to permit potential purchasers to have a fair chance to meet competitive bids to acquire the desired items (Meyers, col. 2, lines 35-37).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 4,799,156 to Shavit disclose a system for interactive online electronic communication and processing business transactions between a plurality of different types of independent user including sellers, buyers, as well as financial institutions..

U.S. Patent No. 6,141,666 to Tobin discloses a system which provides dynamic customization of hypertext tagged document presented to clients accessing the system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MARISSA THEIN** whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mtot

March 19, 2008

/Michael Cuff/
Primary Examiner, Art Unit 3627